

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 85-84

REQUIRING PACIFIC GAS AND ELECTRIC COMPANY
PITTSBURG POWER PLANT, PITTSBURG, CONTRA COSTA COUNTY
TO CEASE AND DESIST VIOLATING WASTE DISCHARGE REQUIREMENTS

The California Regional Water Quality Control Board, San Francisco Bay Region, (hereinafter Board) finds that:

1. On 23 June 1983, the Board adopted Order No. 83-22 (NPDES No. CA0004880) prescribing waste discharge requirements for Pacific Gas and Electric Company (PG&E), Pittsburg Power Plant. The Order contains provisions relating to Best Technology Available (BTA) for cooling water intake structures to minimize adverse environmental impacts on aquatic organisms.
2. The BTA provisions provide, in part, as follows:

"D.12 The Discharger shall provide a method of estimating the reduction in 150 mm equivalent striped bass lost annually as a result of entrainment and impingement for the approval of the Executive Officer according to the following time schedule:


<u>Task</u>	<u>Date</u>	<u>Report of Compliance Due</u>
Conceptual Design		15 July 1983
Full Compliance	1 Sept. 1983	15 Sept. 1983"

3. The methodology required by Provision D.12 provides the cornerstone of the permit since it is the primary means by which compliance with the permit's performance standards is measured. The methodology was to be based on a computer simulation model developed by PG&E to estimate reductions in striped bass losses given any year's operating conditions. The model was based on operational and biological data gathered between 1 March 1978 and 1 March 1979.
4. PG&E has not submitted an acceptable methodology pursuant to Provision D.12.
5. On 19 June 1985, at 1:30 p.m. at the Contra Costa County Board of Supervisors' Chambers, 651 Pine Street, Martinez, California, after due notice to PG&E and all other interested and affected persons, the Board conducted a public hearing at which PG&E appeared and evidence was received concerning the violation of Provision D.12.
6. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), in accordance with Section 15321(a)(2), Chapter 3, Title 14, California Administrative Code.

IT IS HEREBY ORDERED THAT:

1. Pacific Gas and Electric Company, Pittsburg Power Plant, cease and desist forthwith from violating Provision D.12 of Board Order No. 83-22.
2. Pacific Gas and Electric Company, Pittsburg Power Plant, submit to the Board by 15 July 1985 estimates of the annual reduction in 150 mm equivalent striped bass lost as a result of entrainment and impingement, based on plant operations for the years 1976, 1978, and 1979, both individually and combined, and both 1978 biology and current year biology (1984).
3. If Pacific Gas and Electric Company fails to comply, the Executive Officer shall refer the matter to the Attorney General for monetary and/or injunctive relief.

I, Roger B. James, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on June 19, 1985


for ROGER B. JAMES
Executive Officer